

The Commonwealth of Massachusetts

---

MESSAGE FROM HIS EXCELLENCY

FRANCIS W. SARGENT

THE GOVERNOR

RETURNING WITH RECOMMENDATION OF AMEND-  
MENT, THE ENGROSSED BILL FURTHER REGU-  
LATING THE ISSUANCE OF CERTIFICATES  
OR MEMORANDA OF THE DELIVERY  
OF FUEL OIL.

---

*The Commonwealth of Massachusetts*

---

EXECUTIVE DEPARTMENT,  
STATE HOUSE, BOSTON, APRIL 3, 1972.

*To the Honorable Senate and House of Representatives:*

In accordance with the provisions of Article LVI of the Amendments to the Constitution, I am returning, herewith, Senate Bill No. 1195 entitled "AN ACT FURTHER REGULATING THE ISSUANCE OF CERTIFICATES OR MEMORANDA OF THE DELIVERY OF FUEL OIL."

Present law requires that the person delivering fuel oil in quantities of ten gallons or over issue a certificate to the purchaser stating the number of gallons which have been delivered. This law has for many years served as a protection to the consumer against short deliveries.

This bill would provide that the certificate need not be presented at time of delivery if the purchaser requests in writing of the seller that it be delivered at another place or time. This change will permit both the home owner and those in multi-family dwellings to receive their delivery certificates with their monthly bill, or at their place of business, or for some other time or place for whatever reason.

I am concerned, however, that the bill be clarified to make sure that it is the purchaser, not the seller, who initiates the request for a change in the method of delivery of the certificate. The bill as written seems to permit a seller to send out printed cards to his customers which, if mailed back, would constitute a request. If any purchaser really wants to change the method of receipt of delivery certificates, he should be permitted to do so. But the change should be at his request, and for his benefit — not for the benefit of the seller.

I therefore recommend the bill be amended as follows: —

By striking out, in line 4 of the first sentence of section 303F of chapter 94, as amended by this act, the word "requests", and inserting in place thereof the words: — initiates a request.

Respectfully submitted,

FRANCIS W. SARGENT,  
*Governor of the Commonwealth.*